IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1908 OF 2005

Sanjay S. Sawant ...Petitioner

Versus

Mrs.Neeta M. Kotak & Anr ...Respondents

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Mr. Niranjan Mundargi, Advocate for Petitioner

Mr. Shriram Sirsat, Adv.for Respondent No.1.

Mr. V.B. KOnde Deshmukh, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 12TH AUGUST, 2005

P. C.:-

1. Heard the learned advocate for the petitioner i.e. original accused, the learned advocate for the respondent No.1 i.e. original complainant and the learned A.P.P. for the State. The complainant is present in person before the Court.

2. Respondent No.1 has lodged a complaint with the Cuffe Parade police Station Colaba Mumbai against the petitioner. The said complaint was mainly for cheating. The complaint was registered as C.R. No.146/2000 and the said case is pending before the learned Metropolitan Magistrate, 47th Court, Esplanade, Mumbai. The said case is numbered as

C.C.No.73/P/2003. The petitioner is seeking quashing of the said case.

3. The complainant who is present in person states that she has amicably settled the matter with the petitioner and she does not wish to pursue her complaint. She has also filed an affidavit to that effect. Looking to the fact that the matter has been amicably settled between the parties and the fact that the complainant does not wish to pursue her complaint, in my opinion, no purpose would be achieved by continuing with the prosecution of the said proceedings. Hence, I am inclined to quash the said case. In view of the above, C.C.No.73/P/2003 and C.R. No.146/2000 and the proceedings relating thereto are quashed.

4. Writ petition is disposed of in the above terms.

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